

# The Gazette of India

सत्यमेव जयते

## EXTRAORDINARY PART II—Section 2 PUBLISHED BY AUTHORITY

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No. 4] NEW DELHI, FRIDAY, FEBRUARY 20, 1959/PHALGUNA 1, 1880

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### LOK SABHA

The following Bills were introduced in Lok Sabha on the 20th February, 1959:—

BILL No. 1 of 1959

*A bill to consolidate and amend the law relating to arms, ammunition and military stores.*

WHEREAS it is expedient to consolidate and amend the law relating to arms, ammunition and military stores in conformity with the requirements of an independent nation and with modern conditions, and

- 5 WHEREAS it is necessary to make it possible for law-abiding citizens to possess fire-arms for defence while deterring anti-social and anti-national elements from using such weapons to perpetrate crimes;

BE it enacted by Parliament in the Tenth Year of the Republic  
10 of India as follows:—

### PART I

#### PRELIMINARY

1. (1) This Act may be called the Indian fire-arms Act, 195  
(2) It extends to the whole of the Indian Union.  
15 (3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Short title,  
extent and  
commence-  
ment.

**Definitions.**

2. In this Act, unless the context otherwise requires,—

(a) “ammunition” means the projectiles, explosives and other requirements for operating any fire-arm. It includes all articles like gun cotton, dynamite, lithofracteur and other explosive or fulminating material, fuses, friction tubes and all parts of ammunition and all machinery for manufacturing ammunition, but does not include lead, sulphur and saltpetre; 5

(b) “fire-arm” means any lethal barrelled weapon of any description, by whatever name known, which is designed to discharge or expel one or more shots, bullets or other projectile by the action of an explosive; 10

(c) “fire-arm Category A” means lethal fire-arms used by civilians for sporting or self-defence, of higher calibre than those defined in “Fire-arms Category B”;

It includes—

(i) Rifles other than those defined as “Prohibited weapons” or placed in “Category B”. 15

(ii) Revolvers and pistols other than those defined as “Prohibited weapons” or placed in “Category B”.

(iii) A fire-arm-muffler or fire-arm-silencer designed or adapted to diminish the noise or flash caused by a fire-arm. 20

(iv) Any parts of such weapons.

(d) “fire-arm Category B” means fire-arms less dangerous than those of Category A, designed and used for civilian use and for target shooting practice; 25

It includes—

(i) .22 bore rifle for shooting-practice,

(ii) other precision-shooting rifles and gadgets and parts thereof, required for shooting competitions.

(iii) Smooth bore guns 12 bore or less in calibre, 30

(iv) Air rifles, and

(v) muzzle loading guns;

(e) “license” means a license in relation to Fire-arms Category A, ammunition or military stores granted under this Act, and “licensee” means a person, persons or an organization holding such licence; 35

(f) “military stores” in any section of this Act as applied to any part of India means any military stores to which the

Central Government may, from time to time, by notification in the Official Gazette, specially extend such section in such part;

(g) "permit" means a certificate granted for the possession and use of fire-arms category B and ammunition for the same;

5 (h) "prescribed" means prescribed by rules made under this Act;

(i) "prohibited weapons" means fire-arms and other armaments and equipment required for Military use and includes all types of guided missiles, cannon, machine-guns, Howitzers, mortars, wall-pieces, mitrailleurs, land-mattresses, rifle-grenades, hand-grenades. Bombs, all such fire-arms so designed or adapted that if pressure is applied to the trigger, missiles continue to be discharged until the pressure is removed from the trigger or the magazine containing the missiles is empty, all other rifles as well as smooth bore guns whose barrel length is below 18 inches, rifles, revolvers and pistols belonging to the armed forces, articles designed for torpedo service, submarine mining and anti-aircrafts, all types of ammunition for such weapons, all parts of such weapons and all carriages, platforms and appliances for mounting, transporting or using the same. "Prohibited weapon" shall also include any other weapon notified by the Central Government as such;

(j) "registration" means the registration of licensed or permitted fire-arms under this Act, and 'registered' means the fire-arms so registered.

## PART II

### LICENSES, PERMITS AND REGISTRATION

3. No license or permit shall be given in favour of any person, persons or organisation in respect of prohibited-weapons: Prohibited weapons.

30 Provided that the Central Government may supply such weapons to specified organisations or recognised Rifle Associations or Civil defence organizations or permit State Governments to do so.

4. No person shall have, in his possession, Fire-arms—Category A or ammunition for the same or military stores without a license duly granted under this Act or rules made thereunder, and in the manner and to the extent permitted thereby. Licenses for fire-arms Category A.

5. (1) Licence under section 4 shall be ordinarily granted to every citizen to possess fire-arms of Category A, unless— Grant of licences.

(i) he is a person of unsound mind, or,

(ii) is proved to be associated with anti-social or anti-national activities, or

(iii) has been convicted of offences affecting person or property or any other heinous crime, or

(iv) has been bound over for keeping the peace or for good behaviour, or

(v) for any other reason to be recorded by the licensing authority in writing.

(2) Copy of such order and reasons refusing a license is to be given to the applicant. 10

Permit for  
fire-arm  
Category B  
etc.

6. No person shall have in his possession a fire-arm Category B or ammunition for the same without a permit which shall ordinarily be granted unless the applicant comes under sub-clauses (i) to (iii) of section 5 in which case a copy of the order and reasons refusing the registration certificate shall be given to the person concerned. 15

Retainers.

7. A person granted a license for fire-arms Category A and ammunition or for specified types of military stores or a person granted a permit for fire-arms Category B and ammunition may also be permitted to have, included in the license or permit jointly with them; some adult members of the family or one servant, as "retainers" or "retainer" in which case the licensee or permit holder as well as the retainers or retainer shall be responsible for violations of the Act and rules thereunder and for violation of the conditions of the license or permit. 20

Rules for  
license and  
permit and  
for registra-  
tion.

8. The Central Government shall prescribe rules for the grant of 25 licenses and permits and for the appointment of authorities to grant them and for conditions of such licenses and permits. It shall also prescribe rules for registration of licenses and permits for appeals and revisions against orders refusing the same; and other details regarding records to be maintained by Magistrates and the Police. 30

Liability of  
holders of  
licenses etc.

9. The holders of licenses and permits shall be liable for call-up in national emergencies to render such services under such specific terms and conditions as may be prescribed:

Provided that the Central Government may, by notification in the Official Gazette, grant exemptions, from this liability, to such 35 classes as may be specified therein and the State Governments may grant exemption to such individuals as they deem fit.

Ground for  
refusal of  
licenses etc.

10. The grant of licenses and permits shall be the rule and refusal shall be on the grounds prescribed in sub-section (1) of section 5 and section 6:

Provided that in the special categories of persons mentioned in clauses (i) and (ii) below, licenses or permits shall not be refused without orders from Central or State Governments. Such licenses or permits shall be subject to such restrictions as the Central Government may, from time to time impose, for limiting the number and type of such fire-arms and ammunition.

*Special Categories:—*

(i) the classes and individuals at present enjoying exemptions under section 27 of the Indian Arms Act, 1878, or rules or notifications issued by the Central Government thereunder, and

(ii) Members of either House of Parliament or of State Legislatures, of the State or District Development Boards, Officers of Central and State Governments of the Gazetted rank, members of the National Rifle Association or of Clubs recognized by the Central Government, or an officer of the Territorial Army Cadet or Auxiliary forces, Home Guards, Volunteer Forces and other Civil Defence forces raised by the Central or State Governments.

11. It shall be the duty of the Central Government to get manufactured fire-arms and ammunition for civilian use, at the Ordnance Factories or through licensed manufacturers. They may also provide facilities for import thereof from other countries.

Manufac-  
ture and  
import of  
fire-arms  
etc.

12. No person shall manufacture, convert, repair or sell or keep, offer or expose for sale, any fire-arms, ammunition or military stores, except under a license and in the manner and to the extent permitted thereby:

Prohibition  
of manufac-  
ture, conver-  
sion and sale  
of fire-arms.

Provided that in the case of Ordnance factories, definite rules shall be framed by the Central Government for manufacture of civilian weapons and regulating the sale thereof to persons possessing licenses or permits to purchase fire-arms:

Provided further, that nothing herein contained shall prevent any person from selling any arms or ammunition, which he lawfully possesses for his own private use, to any person who is licensed or permitted to possess the same, but every person so selling and every person so purchasing shall, without unnecessary delay, give to the Magistrate of the District and to the Officer in charge of the nearest police station, notice of the sale and the purchaser's full name and full address.

## PART III

*Import, Export and Transport*

Prohibition  
of importation  
and  
exportation  
of prohibited  
fire-arms.

13. (1) No person shall bring into or take out of India by sea, land or air, any prohibited weapon.

(2) No person shall bring into India or take out of India any other type of fire-arm, ammunition or military store, except under a license or permit and in the manner and to the extent provided thereby.

Importation  
and exportation  
of fire-arms  
for private use.

14. Nothing in section 13(2) extends to personal fire-arms and ammunition imported or exported by a licensee or by a permit holder.

*Explanation.*—Fire-arms, ammunition and military stores taken from one part of India to another by sea, land or air, across intervening territory not being part of India, are taken out of, and brought into India, within the meaning of sections 13 and 14.

Warehousing  
of fire-arms.

15. Notwithstanding anything contained in the Sea Customs Act, 1878, no fire-arms, ammunition or military stores shall be deposited in any warehouse licensed under section 16 of that Act, without the sanction of the Central Government.

Power to  
prohibit  
transport of  
fire-arms.

16. The Central Government may, from time to time, by notification in the Official Gazette,

(a) regulate or prohibit the transport of any description of fire-arms, ammunition or military stores over India or any part thereof, either altogether or except under a license and to the extent and manner permitted by such license, and

(b) cancel any such notification.

*Explanation.*—Fire-arms, ammunition and military stores transported at a sea port or air port in India are “transported” within the meaning of this section.

Power to  
establish  
searching  
stations.

17. The Central Government may, at any places along the boundary line between India and foreign territories and at such distances within such line as it deems expedient or at air ports within India, establish searching posts at which all vessels, planes, carts, baggage, animals, and all boxes, bales, and packages in transit may be stopped and searched for prohibited weapons, fire-arms, ammunition and military stores, by any officer empowered by the Central Government in this behalf by name or by virtue of his office.

18. (1) When any person is found possessing or conveying prohibited weapons, any other person may, without warrant, apprehend him and seize such prohibited weapons from him.

Arrest of persons possessing or conveying prohibited weapons.

(2) Where an arrest is made under this section by a person other than a Magistrate or Police Officer, the person so apprehended, together with the weapon or weapons seized, shall be delivered over, as soon as possible, to a Police Officer or Magistrate.

(3) All persons and weapons apprehended by or delivered to a Police Officer under this section shall be produced without unnecessary delay before the nearest Magistrate having jurisdiction.

(4) The Magistrate shall make arrangements for the custody of the arrested person and seized properties. The arrested person shall not be granted bail, notwithstanding the provisions of the Code of Criminal Procedure, 1898 or any law in force, to the contrary.

of 1898.

19. (1) When any person is found carrying or conveying fire-arms, ammunition or military stores, whether or not covered by licence or permit, in such manner or under such circumstances as to afford just grounds for suspicion that the same are being carried by him with intent to use them, or that the same may be used, for any unlawful purpose, any Magistrate, Police Officer, Village Headman or Panchayat Sarpanch may, without warrant, arrest him and seize the fire-arm, ammunition or military stores.

Arrest of persons conveying fire-arms, etc., under suspicious circumstances.

(2) Any person so apprehended or any fire-arms, ammunition or military stores so seized by a person not being a Magistrate or Police Officer shall be made over, as soon as possible to the nearest Magistrate, or Police Officer.

(3) All persons apprehended by, or delivered to a Police Officer, and all fire-arms, ammunition or military stores seized by or delivered to any such Officer shall be produced, without unnecessary delay, before a Magistrate.

#### PART IV

##### *Going Armed, possessing Fire-arms, etc.*

20. (1) No person shall go armed with any fire-arms Category-A, except under a license or fire-arms Category-B without a permit:

Prohibition of going armed without a license or permit.

35 Provided that it shall not be necessary for a licensee or permit holder to carry the license or permit with him within the local limits of his district in which his fire-arm is registered on a license or permit.

(2) Any person so going armed without a license or permit or in contravention of the conditions thereof, may be disarmed by any Magistrate, Police Officer or other person empowered by the Central Government in this behalf by name or by virtue of his office.

Unlicensed  
possession  
of weapon.

21. (1) No person shall have in his possession or under his control any prohibited weapon under any circumstance whatsoever. 5

(2) No person shall have in his possession or under his control, any fire-arm Category-A or Category-B or ammunition for the same or military stores without a valid license or permit and in the manner and to the extent provided therein. 10

*Explanations.*—(i) If any prohibited weapon is found in a house or other place occupied by more than one person, it shall be presumed, until the contrary is proved, that such prohibited weapon is in the possession and under the control of all the adult male occupants of the premises. 15

(ii) If any fire-arm, ammunition or military stores are found in a house or place occupied by more than one person, and if the same are not covered by a valid license or permit it shall be presumed unless the contrary is proved, that such fire-arm, ammunition or military stores, are in the possession and under the control, of all the adult male persons who were occupants of the premises. 20

Setting up  
gun-traps.

22. It shall be an offence to set up traps to kill animals.

Deposit of  
fire-arms.

23. (1) Any person possessing fire-arms, ammunition or military stores, the possession whereof has, in consequence of the cancellation or expiry of a license or of a permit or otherwise become unlawful, shall without unnecessary delay, deposit the same either with the officer in charge of the nearest police station or, at his option and subject to such conditions as the Central Government may by rule prescribe, with a licensed dealer. 25

(2) Where fire-arms, ammunition or military stores have been deposited under sub-section (1) the depositor shall, at any time before the expiry of such period as the Central Government may by rule prescribe, be entitled— 30

(a) to receive back anything so deposited, the possession of which by him has become lawful, and

(b) to dispose, or authorise the disposal, of anything so deposited by sale or otherwise to any person whose possession of the same would be lawful; and to receive the proceeds of any such sale: 35



Provided that nothing in this sub-section shall be deemed to authorise the return or disposal of anything the confiscation of which has been directed.

(3) All things deposited as aforesaid and not returned or disposed of under sub-section (2) within the prescribed period therein referred to shall be forfeited to Government.

(4) The Central Government may, by rule, prescribe,—

(i) the conditions subject to which fire-arms, ammunition and military stores may be deposited with a licensed dealer, and

10 (ii) the period after the expiry of which things deposited as aforesaid shall be forfeited under sub-section (3).

## PART V

### *Licenses and Permits*

24. The Central Government may from time to time, by notification in the Official Gazette, make rules to determine the officers by whom, the form in which and the terms and conditions on and subject to which, any licence or permit shall be granted; and may by such rules—

Power to make rules as to licences and permits.

20 (a) fix the period for which such license or permit consistent with the provision of this Act, amongst other matters shall continue in force;

25 (b) fix a fee payable by stamp or otherwise in respect of any such license or permit granted, or in respect of any such licence other than a license for possession granted in any other place;

30 (c) direct that the holder of any such license or permit other than one for possession, shall keep a record or account, in such form as the Central Government may prescribe, of anything done under such license, and exhibit such record or account when called upon by an officer of Government to do so;

(d) empower any officer of Government to enter and inspect any premises in which fire-arms, ammunition or military stores are manufactured or kept by any person holding a license of the description referred to in sub-clause (c);

35 (e) direct that any such person shall exhibit the entire stock of fire-arms, ammunition and military stores in his possession or under his control to any officer of Government so empowered; and

(f) require the person holding any license or permit or acting under any license or permit to produce the same, and to produce or account for the fire-arms, ammunition or military stores covered by the same when called upon by an officer of Government so to do. 5

Cancellation and suspension of licenses and permits.

25. Any license or permit may be cancelled or suspended—

(a) by the officer by whom the same was granted, or by any authority to which he may be subordinate, or by any Magistrate of a district or Commissioner of Police in a presidency town, within the local limits of whose jurisdiction the holder of such license may be, when, the licensee or permit-holder comes under section 5 or 6, or for infringement of the conditions of the license or permit or for any other reason to be recorded in writing, such officer, authority, Magistrate or Commissioner deems it necessary, to cancel or suspend such license; or 10 15

(b) by any judge or Magistrate before whom the holder of such license is bound over to keep the peace or convicted of an offence against this Act, or against the rules made under this Act; or against heinous offences against person or property; and the Central Government may by a notification in the Official Gazette cancel or suspend all or any licenses throughout India or any part thereof. 20

## PART VI

### *Penalties*

For breach of sections 12, 13, 16, 20, 21, 22, 23 and 24.

26. Whoever commits any of the following offences, namely:— 25

(a) manufactures, converts or sells, or keeps, offers or exposes for sale, any arms, ammunition or military stores in contravention of the provisions of section 12;

(b) fails to give notice as required by the same section;

(c) imports or exports any arms, ammunition or military stores in contravention of provisions of section 13; 30

(d) transports any arms, ammunition or military stores in contravention of a regulation or prohibition issued under section 16;

(e) goes armed in contravention of the provisions of section 20; 35

(f) possesses without a license or permit, fire-arms or military stores under sub-section (2) of section 21;

(g) whoever lays a Gun trap under section 22;

(h) fails to deposit arms, ammunition or military stores as required by section 23;

5 (i) intentionally makes any false entry in a record or account which, by a rule made under clause (c) of clause 24 he is required to keep; or

(j) intentionally fails to exhibit anything which by a rule made under clause (e) of section 24 he is required to exhibit; shall be punished with imprisonment for a term which may extend  
10 to three years, or with fine or both.

27. Whoever does any act mentioned in clauses (a), (c), (d) or (f) of section 26, in such manner as to indicate an intention that such act may not be known to any public servant as defined in the Indian Penal Code, 1860, or to any person employed upon a railway  
15 or to the servant or any public carrier,

ILV of 1860.

and whoever, on any search being made under section 33, conceals or attempts to conceal any arms, ammunition or military stores,  
shall be punished with imprisonment for a term which may extend  
20 to seven years, or with fine or with both.

28. Whoever, in violation of a condition subject to which a licence or permit has been granted, does or omits to do any act shall, when the doing or omitting to do such act is not punishable under section 26 or section 27 be punished with imprisonment for a term which  
25 may extend to six months, or with fine which may extend to five hundred rupees, or with both.

29. Whoever has in his possession any prohibited weapon or goes out armed with any such weapon shall be punishable with death or imprisonment for life and shall also be liable for confiscation of his  
30 properties or fine.

30. Whoever knowingly purchases any fire-arms, ammunition or military stores from any person not licensed or authorized under the proviso to section 12 to sell the same; or delivers any fire-arms, ammunition or military stores into the possession of any person  
35 without previously ascertaining that such person is legally authorised to possess the same, shall be punished with imprisonment for a term which may extend to three months or with a fine upto five hundred rupees, or with both.

31. Any person violating any rule made under this Act, and for  
40 the violation of which no penalty is provided by the Act shall be punished with imprisonment for a term which may extend to one

For secret breaches of sections.

For breach of license or permit.

Possession of prohibited weapons.

For knowingly purchasing arms etc. from unlicensed persons.

Penalty for breach of rules.

month, or with fine which may extend to two hundred rupees, or with both.

**Power to  
confiscate.**

32. When any person is convicted of an offence punishable under this Act, committed by him in respect of any fire-arms, ammunition or military stores, it shall be in the discretion of the convicting Court or Magistrate further to direct that the whole or any portion of such arms, ammunition or military stores, and any vessel, air-craft, cart or baggage-animal used to convey the same, and any box, package or bale in which the same may have been concealed, together with the other contents of such box, package or bale, shall be confiscated. 10

## PART VII

### MISCELLANEOUS

**Search and  
seizure by  
Magistrate.**

33. Whenever any Magistrate has reason to believe that any person residing within the local limits of his jurisdiction has in his possession any fire-arms, ammunition or military stores for any unlawful purpose, or that such person cannot be left in the possession of any such fire-arms, ammunition or military stores without danger to the public peace, such Magistrate, having first recorded the grounds of his belief, may cause a search to be made of the house or premises occupied by such person or in which such Magistrate has reason to believe such fire-arms, ammunition or military stores are or is to be found, and may, seize and detain the same, although covered by a license, in safe custody for such time as he thinks necessary. 20

The search in such a case shall be conducted by, or in the presence of, a Magistrate or by, or in the presence of, some officer specially empowered in this behalf by name or by virtue of his office by the Central Government. 25

**Seizure and  
detention by  
Central  
Government.**

34. The Central Government may at any time order or cause to be seized any arms, ammunition or military stores in the possession of any person, notwithstanding that such person is licensed or permitted to possess the same, and may detain the same for such time as it thinks necessary for the public safety. 30

**Information  
to be given  
regarding  
offences.**

35. Every person aware of the commission of any such offence punishable under this Act, shall, in the absence of reasonable excuse, give information of the same to the nearest Police Officer or Magistrate and every person employed upon any railway or by any public carrier shall, in the absence of reasonable excuse, the burden of proving which shall lie upon such person, give information to the nearest Police Officer regarding any box, package or bale in transit which he may have reason to suspect contains fire-arms, ammunition 40

or military stores in respect of which an offence against this Act has been or is being committed.

36. Where an offence punishable under section 19, clause (f), of section 26 has been committed within three months from the date on which this Act comes into force, no proceeding shall be instituted against any person in respect of such offence without the previous sanction of the Magistrate of the district or, in a presidency town of the Commissioner of Police.

V of 1898. 10 37. Where a search is to be made under the Code of Criminal Procedure, 1898 in the course of any proceedings instituted in respect of an offence punishable under clause (f) of section 26, such search shall notwithstanding anything contained in the said Code or Act, be made in the presence of some officer specially appointed by name or by virtue of his office by the Central Government in this behalf and not otherwise.

38. Nothing in this Act shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence against this Act or the rules made under it, or from being liable under such other law to any higher punishment or penalty than that provided by this Act:

Provided that no person shall be punished twice for the same offence.

39. The Central Government may from time to time, by notification in the Official Gazette, direct a census to be taken of all fire-arms in any local area, or State and empower any person or persons by name or in virtue of his office to take such census.

On the issue of any such notification, all persons possessing any such arms in such area shall furnish to the person so empowered such information as he may require in reference thereto, and shall produce such arms to him if he so requires.

Any person refusing or neglecting to produce any such arms when so required shall be punished with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees, or with both.

35 40. No proceeding other than a suit shall be commenced against any person for anything done in pursuance of this Act, without having given him at least one month's previous notice in writing of the intended proceeding and of the cause thereof nor after the expiration of three months from the accrual of such cause.

40 41. (1) The Central Government may make rules consistent with this Act for carrying into effect the provisions of this Act.

(2) All rules and regulations made under this Act shall be laid for not less than thirty days before each House of Parliament as soon as may be after they are made and shall be subject to such modifications as Parliament may make during the session in which they are so laid or the session immediately following.

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Act not to  
apply in  
certain cases.

42. Nothing in this Act shall apply to—

(a) Fire-arms, other weapons, ammunition or military stores on board any sea-going vessel or air-craft and forming part of its ordinary armament or equipment, or

(b) the manufacture, conversion, sale, export, transport, bearing or possession of arms, ammunition or military stores by order of the Central Government or of any State Government or by a public servant in the course of his duty as such public servant, or by a member, in the course of his duty as such member, of forces constituted by the Territorial Army Act, 1948, National Cadet Corps Act, 1948, Lok Sahayak Sena Act, 1956, Naval Reserves and Auxiliaries under the Navy Act, 1957, Air Force Reserves, Air Defence Reserves and the Auxillary Air Force, or of the Home Guards, Pranthiya Rakshi Dals, Volunteer Forces and Special Constabularies raised under legislations of the States or of similar civil defence forces to be raised by the Central or State Governments.

Repeal of  
Act II of  
1878.

43. The Indian Arms Act, 1878 is hereby repealed.

II of 1878.

## STATEMENT OF OBJECTS AND REASONS

The Indian Arms Act, 1878 was intended to disarm the entire nation. Even after independence, the law declaring "swords, daggers, spears, spear-heads, bow and arrows" as "arms" has been allowed to continue unaltered on the statute book. The rigours of the Arms Act and rules thereunder continue to make it difficult for law abiding citizens to possess fire-arms for self-defence whereas terrorists, dacoit-gangs and other anti-social or anti-national elements are using not only civilian weapons but also bombs, hand-grenades, Bren guns, Sten guns, .303 bore service rifles and revolvers of a military type, for perpetrating heinous crimes against society and the State.

The Indian Arms (Amendment) Bill (No. 49 of 1953) was introduced by the undersigned in the Lok Sabha on the 27th November, 1953 to focus Parliament's attention on this vital subject. It was discussed in the House on 26th March, 1954 and was circulated for public opinion.

Opinions were received from all the State Governments which contained not only their own views but also those of many legal luminaries, Bar associations, Judges, Collectors, Senior Police Officers and local Bodies of their respective States. On the basis of those opinions, this Bill has been drafted.

The objects of this Bill are:—

(a) to exclude knives, spears, bows and arrows and the like from the definition of "arms";

(b) to classify fire-arms and other prohibited weapons so as to ensure:

(i) that dangerous weapons of military patterns are not available to civilians, particularly the anti-social elements;

(ii) that weapons for self-defence are available for all citizens under license unless their antecedents or propensities do not entitle them for the privilege; and

(iii) that fire-arms required for training purposes and ordinary civilian use are made more easily available on permits;

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(c) to co-ordinate the rights of the citizen with the necessity of maintaining law and order and avoiding fifth-column activities in the country;

(d) to recognize the right of the State to requisition the services of every citizen in national emergencies. The licensees and permit holders for fire-arms, *shikaris*, target shooters and rifle-men in general (in appropriate age groups) will be of great service to the country in emergencies, if the Government can properly mobilise and utilise them.

NEW DELHI;  
The 13th November, 1958.

UMA CHARAN PATNAIK



### MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 5 empowers the Government to prescribe rules for possession of fire-arms category A.

Clauses 8 and 24 empower the Government to provide for rules to be framed by Central Government for regulating the grant of licenses and permits.

Clause 10—Proviso of clause 10 empowers the Central Government to impose restrictions on issue of licenses and permits.

Clause 12 enjoins upon the Central Government to frame rules for manufacture of civilian weapons.

Clause 16 provides for rules regulating or prohibiting transport of fire-arms.

Clause 23 empowers the Central Government to prescribe the rules regarding deposit of arms etc.

Clause 41 confers general rule-making powers on the Government and there is the usual provision for laying the rules before both Houses of Parliament.

The rule-making powers sought to be conferred are of a normal nature.

## BILL No. 131 of 1958

*A Bill further to amend the Criminal Law Amendment Act, 1932.*

BE it enacted by Parliament in the Ninth Year of the Republic of India as follows:—

Short title  
and com-  
mencement.

1. (1) This Act may be called the Criminal Law (Amendment) Bill, 19 .

(2) It shall come into force at once.

Omission  
of Section 7.

2. Section 7 of the Criminal Law Amendment Act, 1932 shall be omitted. XXIII of 1932.

## STATEMENT OF OBJECTS AND REASONS

Section 7 of the Criminal Law Amendment Act, 1932 has outlived its utility. In view of the fundamental rights guaranteed by the Constitution this section does not serve any purpose and is outmoded. Further the provisions of this section have been misused against the political parties. Hence this Bill.

NEW DELHI;

JAGDISH AWASTHI.

*The 29th November, 1958*

## BILL No. 4 OF 1959

*A Bill to provide for fixation of minimum price of jute.*

WHEREAS it is expedient to provide by law for the fixation of minimum price of jute.

BE it enacted by Parliament in the Tenth Year of the Republic of India as follows:—

Short title  
extent and  
commence-  
ment.

1. (1) This Act may be called the Minimum Price of Jute Act, 5  
19

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force at once.

Fixation of  
price of jute.

2. The price of jute shall be fixed annually before the sowing 10  
season commences, and shall be continued for the whole of the year  
or varied earlier as the conditions of the jute market necessitate.

Penalty

3. Whoever purchases jute at a price lower than the minimum  
fixed for it shall be liable to fine extending upto five hundred rupees  
for each transaction: 15

Provided that if the offence appears to the court to have been  
committed in respect of the commodity valued at over five hundred  
rupees it shall be open to the court to impose any fine over the sum  
of five hundred rupees which may appear to be expedient in the cir-  
cumstances and also to imprisonment for a term of one year in 20  
addition thereto.

## STATEMENT OF OBJECTS AND REASONS

Experience has shown that in the absence of a statutory minimum price for jute the growers of this agricultural commodity have suffered very heavily. The importance of jute in the general economy of the country is well known. It is, therefore, necessary that the interests of the growers of jute should be adequately protected by ensuring a fair price to them and saving them from exploitation by others. The present Bill is intended to achieve this object.

NEW DELHI;

JHULAN SINHA.

*The 13th January, 1959*

M. N. KAUL,  
*Secretary.*

